

## **REMARKS**

Claims 1-7 are currently pending. According to the Office Action mailed May 21, 2004, claims 1-7 stand rejected under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a), and claim 4 stands objected to because of an informality. As such, claim 4 has been amended as suggested by the Examiner.

### **Claim Rejections over McConnell and Hawkins**

1. Claims 1, 3 and 5 stand rejected under 35 U.S.C. § 102(e) as being anticipated by McConnell et al (McConnell), U.S. Patent No. 6,373,930.
2. Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over McConnell in view of Hawkins et al (Hawkins), U.S. Patent No. 6,516,202
3. Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over McConnell in view of well known prior art.
4. Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hawkins in view of McConnell.
5. Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hawkins and McConnell as applied to claim 6, and further in view of well known prior art.

All pending claims stand rejected either over McConnell, or over McConnell and Hawkins. Applicants enclose a Declaration Pursuant to 37 C.F.R. § 1.131 with supporting Exhibits along with the present response. The Declaration operates to swear behind all cited references, i.e., McConnell and Hawkins. More specifically, the Declaration effectively demonstrates that the presently claimed invention was conceived in the United States prior to

August 12, 1999 (i.e., the § 102(e) date of Hawkins) coupled with due diligence from prior to August 12, 1999 to a subsequent reduction to practice. As such, the invention was also conceived prior to September 9, 1999 (i.e., the § 102(e) date of McConnell) coupled with due diligence from prior to September 9, 1999 to a subsequent reduction to practice. Accordingly, the rejection of all pending claims 1-7 based upon McConnell or Hawkins should be withdrawn.

### **Summary**

Applicants respectively submit that in view of the amendments and remarks above, all of the pending claims 1-7 are in condition for allowance and such action is respectively requested. The Examiner is invited to call the undersigned at (312) 913-0001 with any questions or comments.

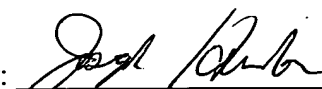
Respectfully submitted,

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Date: \_\_\_\_\_

9/16/04

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